

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN

RICHARD MASEPHOL  
PLAINTIFF

V.

CASE NO: 14-cv-186-slc

WEYERHAEUSER COMPANY, ET AL.  
DEFENDANTS

**WEYERHAEUSER COMPANY'S MOTION TO CONTINUE  
DEADLINE FOR PLAINTIFF'S DEPOSITION**

Plaintiff has failed to comply with the Court's April 16, 2014 order, and Weyerhaeuser requests a 60-day extension on the court's current deposition deadline.

On April 16, 2014, this Court held a telephonic hearing on Plaintiff's expedited motion to take deposition. (Rec. Doc. 7) Weyerhaeuser opposed the motion because no showing had been made that Plaintiff's condition warranted such treatment, and because Weyerhaeuser required sufficient time to obtain records and prepare for Plaintiff's deposition. (Rec. Doc. 20). This Court ordered "all parties to make every effort" to prepare for Plaintiff's deposition the week of June 16, 2014, including "plaintiff providing to the court and counsel a report from some qualified treating physician as to plaintiff's current condition, prognosis, and the level of need for such an expedited deposition." (Rec. Doc. 20). Plaintiff's counsel has failed to do so. In addition, although Weyerhaeuser provided authorizations to Plaintiff's counsel on April 18, 2014, see Exhibit 1, Plaintiff's counsel failed to provide the requested authorization until May 28, 2014. See Exhibit 2.

The failure to comply with this court's order inflicts substantial harm on Weyerhaeuser, as Plaintiff has not demonstrated the necessity of an expedited deposition, and as sufficient time to prepare for the plaintiff's deposition will not be possible. Weyerhaeuser requested that

Plaintiff agree to a continuance, see Exhibit 3, but has received no response. Accordingly, Weyerhaeuser requests that the Court continue the deadline for Plaintiff's deposition for an additional 60 days, with leave for any party to seek relief and refereeing from the court on an expedited basis prior to the deposition.

June 2, 2014

Counsel for Weyerhaeuser Company,

/s/ Joshua J. Metcalf

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on June 2, 2014, the foregoing was filed with the Clerk of the Court for the United States District Court for the Western District of Wisconsin using the CM/ECF system, which will send notification of such filing upon all parties who have appeared.

/s/ Joshua J. Metcalf  
Joshua J. Metcalf